

MINUTES

RANDOLPH COUNTY PLANNING BOARD

October 7, 2003

The Randolph County Planning Board met at 6:30 p.m., on Tuesday, October 7, 2003, in the Commissioners' Meeting Room, Randolph County Office Building, 725 McDowell Road, Asheboro, North Carolina.

1. **Chairman Maxton McDowell** called to order the Randolph County Planning Board meeting at 6:30 p.m.
2. **Hal Johnson**, Planning Director, called roll of the members: Maxton McDowell, Chairman, present; Bill Dorsett, Vice Chairman, present; Lynden Craven, present; Larry Brown, present; Phil Ridge, present; and Chris McLeod, present.
3. **Craven** made the motion, seconded by **McLeod**, to approve the minutes of the September 9, 2003 Randolph County Planning Board meeting and the September 9, 2003 County Zoning Board of Adjustment meeting. The motion passed unanimously.
4. **REQUEST FOR A SPECIAL USE PERMIT:**

Swearing in of the Witnesses - "Do you swear or affirm that the information you are about to give is the truth, the whole truth, and nothing but the truth, so help you God."

Three citizens took this oath.

- A. **JEFFERY SCOTT CAGLE**, Asheboro, North Carolina, is requesting a Special Use Permit for a Rural Family Occupation at his residence to allow a proposed 30' x 50' bait and tackle shop with a dealers license to sell small boats and motors. Location: 1937 Odat Trail; 11.62 acres; Grant Township; Zoning District RA; Tax ID# 7689096326.

Scott Cagle was present and explained that he has owned this property for approximately 15 years. Cagle said that this would be a part-time business that would operate two days a week (Friday and Saturday). Cagle said this would be a hobby and if it grew any bigger he would move the business into town. Cagle said that he wants a dealers license to sell John boats and trailers.. Cagle said that he would not have any employees except possibly part-time.

Dorsett asked how many boats would be displayed at this location, and **Cagle** answered approximately 10 boats at a time. **Dorsett** asked what the hours of operation would be, and **Cagle** answered 6 am to 6 pm.

Phil Cox, representing Bethel Friends Church Meeting, presented a petition, with 31 signatures of people in opposition to the request, to the Board. Cox expressed concerns for the additional traffic along the private road. Cox added they didn't feel this would be compatible with the community and felt the Board should deny this request.

There were 11 people present in opposition to this request.

Brown said that he felt this request would not pass the four tests required by the Board to approve a special use permit. The location and character of the use if developed according to the plan as submitted would not be in harmony with the area in which it is to be located and in general conformity with the Land Development Plan for Randolph County.

Johnson said that the Special Use Permit was designed specifically to recognize the fact that someone may need to operate a small business at their residence. However, Johnson said, the property use should not be of such a character that it would adversely affect neighbors.

Craven said that his biggest concern was for the cemetery. **Craven** made the motion, seconded by **Brown**, to deny this request for a Special Use Permit and noted the following Findings of Fact:

1. That the use would substantially injure the value of adjoining or abutting property, and that the use is not a public necessity; and
2. That the location and character of the use if developed according to the plan as submitted would not be in harmony with the area in which it is to be located and in general conformity with the Land Development Plan for Randolph County.

The motion passed unanimously.

5. **Review of Proposed N.C. Hwy 705 Scenic Business Corridor Overlay District**
(I-73/74 intersection to Seagrove City Limits)

Johnson gave a brief summary of the draft proposal and explained that a community workshop meeting had been held by the County Planning Staff. Johnson said the workshop was productive, and he felt it was a meaningful experience. Johnson said this is a relatively short strip of road that has been transformed from a rural secondary road into a major entryway into the Seagrove Community. This change has come about because of the major transportation developments in the area (I-73/I-74). Johnson explained that the State has approved funding for a major rest area near this corridor. Johnson said the issue is if the County should establish special guidelines in determining requests for rezoning along this roadway. Johnson said Highway Commercial zoning allows many types of commercial uses and does not address structural or buffering conditions. Johnson said in February 2002 the Commissioners adopted a Growth Management Plan for the County. Johnson said this plan outlines a mechanism that could be used to create scenic corridors in the County. Johnson explained that if this special corridor were established, properties would only be affected by this plan if the parcel were rezoned. Johnson explained that the plan would look at streetscapes and walkability, appropriate development types, and building designs and sign standards. Johnson said the plan would also support rezoning requests that would enhance the heritage of the community. The plan looks at existing plans within the area, including existing land uses, current development issues, traffic patterns, and sewer and water availability. Johnson reviewed the policies within the County Growth Management Plan that support the need for a N.C. Hwy 705 Scenic Business Corridor Plan. Johnson reviewed the proposed development guidelines, which include structural architecture, site development, landscaping, buffers, screens, signs, parking, detailed site plans, and permitted uses.

Dorsett asked how plans would be created for different areas of the county. **Johnson** answered that each corridor would be designed unique to its area and all the plans would be different.

Dorsett asked about the primary zoning of the area and **Johnson** explained that the primary zoning district is Restricted Residential.

Chairman McDowell asked for comments from the audience.

Walter Gordon, 3719 Lassiter Mill Road, asked if buffer areas could be destroyed on existing properties. **Johnson** said the proposed regulations would not prevent residential properties from removing their buffer areas. **Gordon** said that he is working on a petition to request a scenic corridor along Lassiter Mill Road.

Brian Vancannon, Little River Road, said that he felt this plan would protect the integrity of this area. Vancannon said that this would provide some very good guidelines for commercial development in the future.

Norma Jean Auman said she owns property just inside the city limits. **Johnson** explained this proposal would not affect properties within the city limits. **Auman** said that we need to protect the investments that have been made in this area. **Auman** expressed concern that if this plan were approved, it may also be adopted by the Town of Seagrove.

Jimmy Vocannon, 274 Little River Road, said that he felt this affects his family's land more than anyone else and he felt this proposal would be a positive change for this community and place safeguards necessary to protect the character of their community.

Gary Boyer, 5713 Old Maple Springs Road, said he felt this plan would discriminate against him because if a major restaurant or motel wanted to buy his property, they would not be able to build here. Boyer said it would not be fair that someone could sell his property across the by-pass for a restaurant or a motel and he could not. Boyer said he felt there are good things in the plan, but there are some unfair restrictions with structural architecture and signage. Boyer said he didn't feel it would be fair that the major commercial facility across the street is not required to meet these regulations. Boyer said that he felt if these restrictions were placed on the east side of the by-pass, they should also be placed on the west side of the interstate.

Lee Green, 395 Little River Road, said that he is all for this beautification of this area. Green asked about the city possibly taking in their properties. Johnson said that he didn't know of any plans of the city's limits expanding.

Joanna Marsland, Director of the N.C. Pottery Center, said that she would like to applaud the County for trying to adopt this type of plan. She said that there is no other community like this is the entire country.

Dorsett discussed the unique pottery community and said we needed this plan in this area. **Craven** agreed with Dorsett.

Johnson said that he has received a letter that the Town of Seagrove is in support of this proposal.

Ridge said that he liked the plan but he did understand Boyer's concern. **Brown** said he did feel the plan should be enforced on the entire area. **Ridge** said his only concern would be the size of the structure. **McLeod** said that he agreed. **Ridge** said he felt the square footage requirement is good for most commercial uses, but there should be an exception to restaurants. **Craven** said if Boyer's property were eliminated from the corridor, it would still be required to come back before the Board.

Craven made the motion, seconded by **Dorsett**, to recommend to the Commissioners that they adopt the proposed N.C. Hwy 705 Scenic Business Corridor Plan with consideration of the concerns expressed during Board discussion. The motion passed unanimously.

6. REQUESTS FOR PROPERTY REZONING:

- A. **REYNOLDS RENOVATIONS**, Pleasant Garden, North Carolina, is requesting that 23.90 acres located on Wayne White Road, Providence Township, be rezoned from RA to CVOE-CU. Tax ID #7788212528. Polecat Creek Watershed. The proposed Conditional Use Zoning District would specially allow a 16-lot subdivision for site-built homes only with a minimum house size of 1,400-sq. ft. Property Owner - Irving H. Beiman, Jr.

The Technical Review Committee met and found that the proposal was in compliance with standards outlined in the new Growth Management Plan adopted by the Board of County Commissioners on February 4, 2002. The Technical Review Committee recommended to the County Planning Board that this request be approved

Examples of some Growth Management Policies that the Technical Review Committee found supporting this recommendation are

Policy 6.5 *The protection of viable rural neighborhoods should be encouraged by compatible residential development to insure the continued existence as a major housing source and as a reflection of the long-term quality of life in Randolph County.*

Policy 6.13 *Conventional Residential Subdivisions are anticipated of similar housing characteristics to the community.*

David Reynolds was present and explained that the soil evaluations test results show that there may be only 15 lots. Reynolds said he would have all that information from the test before the Commissioners' meeting. Reynolds said there will be no new driveways added to Wayne White Road. Reynolds said each houses will be built with a 2-car garage. Reynolds said most of the houses will be larger than 1,400-sq. ft. homes.

There was no one present in opposition to this request.

Johnson said that the subdivision would be compatible with the area.

Brown made the motion, seconded by **McLeod**, to recommend to the Commissioners that this request be **approved**. The motion passed unanimously.

- B. **SDT DEVELOPMENT**, Archdale, North Carolina, is requesting that 197.63 acres located on the right at the end of Mt. Shepherd Road Extension, Tabernacle Township, be rezoned from RA to CLOE-CU. Tax ID #'s 7713308108, 7713119009, and 7713617422. Lake Reese Watershed. The proposed Conditional Use Permit would specifically allow a cluster subdivision of 158 lots, for site-built homes only with a minimum house size of 1,250-sq. ft., where 50% of land area is maintained as undeveloped open space. Property Owners - James Leroy Walker & Others and SDT Development.

*The Technical Review Committee met and found that the proposal was in compliance with standards outlined in the new Growth Management Plan adopted by the Board of County Commissioners on February 4, 2002. The Technical Review Committee recommended to the County Planning Board that this request be **approved**.*

Examples of some Growth Management Policies that the Technical Review Committee found supporting this recommendation are

Policy 6.4 *Innovative and flexible land planning techniques should be supported as a means of encouraging development configurations which are more desirable and which may better safeguard existing natural land and water resources.*

Policy 6.7 *Open space flexible cluster subdivisions should be encouraged.*

Policy 6.9 *Major residential subdivision development in all growth management areas shall be computed by the number of lots divided from the original base tract.*

Johnson described several meetings held concerning this request before this Planning Board meeting. Johnson said there was a neighborhood information meeting, Technical Review Committee meetings, all the meetings held with the applicants and also meetings with representatives from Mt. Shepherd Retreat Center. Johnson said that there has been a tremendous amount of work, on the part of the developers, to come up with a plan that would address the concerns of the neighboring property owners. Johnson said that this is one of the best conservation designs he has ever seen. Johnson said this is a good plan and would allow for preservation of the community.

Stan Byrd, Sr., SDT Development, said that he and his partners are sold on conservation subdivisions and how this type of subdivision will impact the County in the future. Byrd said they have worked hard with the County and Mt. Shepherd Retreat Center. Byrd said the first proposal included mobile homes on the Mt. Shepherd Road side of the property and site-built homes on the Hoover Hill Road. Byrd said after many meetings they decided to go with all site-built homes. Byrd said they are negotiating with Davidson Water, Inc. to allow water lines across their property to serve properties along Mt. Shepherd Road. Byrd said they had met with NCDOT, and the proposed roads had been approved. Byrd said they are not requesting the maximum number of lots. Byrd said that the two tracts (tract A and B) would be retained by Terry Nall and himself to construct their personal residences. Byrd said that this plan has been created with input from Mt.

Shepherd Retreat Center, Hal Johnson, Jill Wood, and Randle Brim. Byrd said that he appreciated all the hard work that has gone into this request.

Ken McDowell, 1926 Humble Mill Road, said that he has worked on planning committees with the Home Builders Association, and this is the type of plans they had seen in workshops and felt would be good for the County.

Kent Shrader, Director of Mt. Shepherd Retreat Center, 1926 Mt. Shepherd Road Extension, said they felt good about this plan. Shrader said the developers had worked with the camp to provide buffers along their property lines. Shrader said they are pleased that the housing type will be site-built. Shrader added this will help the community by allowing Davidson Water to bring their water lines to this road.

Bill Johnson, Mt. Shepherd Retreat Center Board of Directors, 2648 N.C. Hwy 22 South, said that he has been on several of the planning committees in the County. Johnson questioned what would happen to properties that are held in private ownership. Johnson said if the land is maintained in timber, it would be difficult to place septic tanks in the open space. **Hal Johnson** said that the open space would not allow construction and zoning plus deed restrictions would protect the open space. **Bill Johnson** said that he felt this should be clarified. Bill Johnson said that their Board did appreciate the developers working with them.

Clifton Wayne Kindley said his main concern would be for the watershed and the stormwater drainage onto his property. Kindley asked how the developers would prevent this run-off on to his property. Kindley questioned development restrictions on his property (adjoining this property). Kindley said he is not really opposed to this request, but he is concerned about keeping people out of his pond. Kindley said that he wanted the area to remain farmland. Kindley said he felt this would be a "headache" moving into the community.

Dorsett said that this would be the highest and best use of the land and there are many advantages to this plan.

Dorsett made the motion, seconded by **Craven**, to recommend to the Commissioners that this request be approved. The motion passed unanimously.

7. The meeting adjourned at 8:43 p.m. There were 42 people present for this meeting.